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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e Application of:

Examiner:

Unassigned

Gene Michal

Serial No.

10/712,678

Art Unit:

1615

Filed:

November 12, 2003

Title:

Ethylene-Carboxyl Copolymers As Drug Delivery Matrices

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. §§1.97-1.98

Dear Examiner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the references listed on the attached Form PTO-1449. According to a Notice signed July 11, 2003, the U.S. Patent and Trademark Office has waived the requirement under 37 C.F.R. § 1.98(a)(2)(i) for all patent applications filed after June 30, 2003. *See*, 1276 Off. Gaz. Pat. Office 55. Since this patent application was filed after June 30, 2003, Applicants have not provided copies of the cited U.S. patents or the U.S. Patent Application Publications. Copies of the cited foreign patent documents and non-patent literature have been submitted herewith.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant reserves the right to dispute the listed documents as prior art during examination. Furthermore, Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

The present Information Disclosure Statement is being filed before receiving the first Office Action. Therefore, no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required. However, the Commissioner is authorized to charge any deficiencies or other amounts due to Deposit Account No. 07-1850.

Date: <u>April 15, 2004</u>

SQUIRE, SANDERS & DEMPSEY L.L.P. One Maritime Plaza, Suite 300 San Francisco, CA 94111 Telephone (415) 954-0200 Facsimile (415) 393-9887 Respectfully submitted,

Charles E. Runyan Attorney for Applicant Reg. No. 43,066 APR 1 9 2004

in an Application

(Use several sheets if necessary)

FORM PTO-1449 (Modified)

Approved for use through (2)/31/2002 INFORMATION DISCESSIVE CITATION

US DEPARTMENT OF COMMERCE Docket No.

US Patent and Trademark Office

50623.352

Application No. 10/712,678

Applicant

Gene Michal

Filing Date

November 12, 2003

Group Art Unit 1615

	November 12, 2003 1615							
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EXAMINER	DATE CONSIDERED
	references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.